



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

CAOC criticizes Wells Fargo's latest attempt to use forced arbitration to avoid accountability for misdeeds

Underscoring need for SB 33 to protect California consumers, bad actor bank to invoke forced arbitration clauses during 11th Circuit oral arguments

SACRAMENTO (August 23, 2017) – Consumer Attorneys of California leaders today condemned Wells Fargo's ongoing efforts to avoid full accountability for widespread misconduct by forcing customers out of court and into secretive and unfair arbitration hearings.

The big bank's latest attempt to avoid answering for its misdeeds will play out tomorrow during oral arguments in a pivotal legal case being heard by the 11th Circuit Court of Appeals.

Dolores Gutierrez, et al. v. Wells Fargo Bank involves the reordering of debit card transactions to maximize overdraft fees – an illegal practice that hits low-income customers hardest. Other banks have settled similar class-action cases, most notably Bank of America in 2011 for \$410 million. Wells Fargo remains the lone holdout, insisting each customer bring a claim one-by-one in secretive arbitration hearings instead of the public forum of court.

The 11th Circuit hearing comes as the California Legislature prepares to consider [Senate Bill 33](#), legislation backed by CAOC, Treasurer John Chiang and more than 50 consumer rights groups that would help prevent bad actor banks from using forced arbitration to avoid full accountability for fraud and identity theft.

Meanwhile, the Trump Administration and Republicans in Congress are pushing in the opposite direction. The Senate is considering legislation that would repeal protections recently approved by the Consumer Financial Protection Bureau that restrict forced arbitration.

“It's painfully clear that consumers need help from California to the Carolinas,” said CAOC President Greg Bentley. “SB 33 is a must for California. And members of Congress need to remember who they work for and halt this rash attempt to repeal federal protections.”

Consumer Attorneys of California is a professional organization of plaintiffs' attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

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